

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 317/2015

Rashid Ali Warsi

Applicant(s)

Versus

UPSIDC Ltd. Ors.

Respondent(s)

(Report filed in O.A. No. 317/2015)

Date of hearing: 08.08.2019

CORAM:

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

Mr. Rashid Ali Warsi, in person

For Respondent (s):

Mr. Rajesh Raina, Mr. G.D. Sharma, B.P. Kureel,
Advocates for UPSIIDC
Mr. Rajkumar, Advocate for CPCB
Mr. Pradeep Misra and Mr. Daleep Dhyani,
Advocates for UPPCB

ORDER

1. Remedial measures against discharge of untreated effluents by textile units using hazardous chemicals in Loni area, Ghaziabad, Uttar Pradesh is the question for consideration.
2. Vide order dated 13.11.2018, this Tribunal noted that the Common Effluent Treatment Plant (CETP) set up by the Uttar Pradesh State Industrial Development Corporation Ltd (UPSIDC) was not functioning properly. Its management was handed over to Special Purpose Vehicle (SPV), Tronica City Association. The conveyance

system was not rectified. BOD and O&G exceeded the prescribed standards. On account of chocking of drainage system, effluents were overflowing into the drain resulting in water logging. Hazardous waste was being stored unscientifically and damage was being caused to the Jawali irrigation canal meeting Hindon River. Hindon River is tributary of Yamuna, which meets Ganga.

3. Accordingly, this Tribunal on consideration of the inspection report of the Committee, directed remedial measures to be taken by concerned authorities, to be overseen by the Committee appointed by this Tribunal in *O.A No. 231/2014, Doaba Paryavaran Samiti v. Sate of U.P & Ors.* headed by Justice S.U Khan, former Judge of Allahabad High Court.
4. The Oversight/Monitoring Committee furnished its report by email dated 31.01.2019. It mentioned the non-cooperative attitude of the concerned officers of the UPSIDC and the UPPCB. The result was that the hazardous waste continued to be stored unscientifically in closed bags and there was non-compliance of the orders of this Tribunal. BOD exceeded the prescribed parameters. Conveyance system was not properly maintained which was required to be done by CETP Association/UPSIDC.
5. Vide order dated 04.04.2019, this Tribunal directed the Chief Secretary, Uttar Pradesh to look into the report and furnish an action taken report.
6. Accordingly, report dated 06.08.2019 has been handed over during the hearing today on behalf of the Department of Environment, Uttar

Pradesh to the effect that remedial measures have been taken and responsibility of erring officers of the Uttar Pradesh Pollution Control Board (UPPCB) and the Uttar Pradesh State Industrial Development Corporation Ltd (UPSIDC) fixed who will now be proceeded against by the concerned departments. 28 units which were operating at 50% capacity have been closed as the Common Effluent Treatment Plant (CETP) did not have the capacity to sustain the pollution caused by the said units. A new CETP of 6 MLD capacity has now been constructed and conditional Consent to Operate has been given. There is proposal to revoke the closure in due course after improvement of the situation. The system has been operationalized and third-party verification is in process. OCEMS has been installed. The new CETP is under stabilization.

7. In view of above report, no further order is necessary at this stage except to direct that further action may be taken in accordance with law after ensuring that the CETP is fully functional and stabilized and no pollution is caused.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

August 08, 2019
Original Application No. 317/2015
DV

